UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,189	02/25/2004	Thanh Vinh Vuong	16813-13US	7413

54120   7590   04/30/2008
RESEARCH IN MOTION
ATTN: GLENDA WOLFE
BUILDING 6, BRAZOS EAST, SUITE 100
5000 RIVERSIDE DRIVE
IRVING, TX 75039

EXAMINER
COLUCCI, MICHAEL C

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
04/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/785,189	VUONG, THANH VINH
	Examiner	Art Unit	
	MICHAEL C. COLUCCI	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5-9,12,15,16 and 20-25* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1, 5-9, and 12, 15, 16, and 20-25* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>25 February 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

02/29/2008 has been entered.

Response to Arguments

2.   Applicant's arguments, see Remarks: page 10 paragraph 3, filed 02/29/2008,

with respect to the rejection(s) of claim(s) 1 under 35 U.S.C. 103(a) have been fully

considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of

Lin; Carol et al. US 6999916 B2 (hereinafter Lin) and Kugimiya; Shuzo et al. US

5023786 A (hereinafter Kugimiya). The interpretation of the previously applied

references involved translation of text through web based applications using a remote

system, but not necessarily <u>wireless</u> devices. The scope of the previous references

focused on web based procedure and briefly mentioned wireless devices (i.e. wireless

telephones) to translate and transmit text. Lin focuses on a system utilizing real-time

voice-to-text, voice-to-voice, text-to-voice and text-to-text translations within a wireless

network, wherein cellular phones and PDA device are the primary focus and are used in

one or more languages. Further, the secondary reference Kugimiya teaches a method

of translating languages based on the insertion of a symbol or symbols adjacent to text,

wherein the text adjacent the symbol or symbols (i.e. " ") will be translated from one

language to another.

3.   **Argument 1 (page 9 paragraph 3):**

- "It is submitted that the subject matter of claims 1 and 9 objected to by the
  Examiner is reasonably conveyed to one skilled in the art in view of the
  description and the figures and that claims 1 and 9 are in compliance with
  35 U.S.C. § 112"

Response to argument 1:

Examiner takes the position that the specification and drawings support the

recited limitation of stopping or starting monitoring, as is indicated by the user

decision in Fig. 4B item 418.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1, 7-9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lin; Carol et al. US 6999916 B2 (hereinafter Lin) in view of Kugimiya; Shuzo et al.

US 5023786 A (hereinafter Kugimiya).

Re claims 1, 9, and 12, Lin teaches in a wireless communications device enabled

for communication in a wireless communications network, a method of translating a

portion of a text-based communication to be transmitted from the wireless device (Col. 5

lines 55 – Col. 6 line 15), comprising:

sending a translation request, the translation request configured for reception by

a translation service means and comprising the text to be translated (Col. 8 lines 5-15 &

Fig. 9);

receiving and associatively storing with the indicated text a translation thereof,

from a first language to a second language (Col. 7 lines 26-39 & fig. 7A);

sending the text-based communication after a response has been received for

each prompt (Col. 5 lines 55 – Col. 6 line 15).

determining which text of the text-based communication is to be translated by

continually monitoring the text-based communication for the presence of a trigger

symbol, the trigger symbol indicating which text to translate (Kugimiya Col. 5 lines 51-64

& Fig. 11);

stopping the continual monitoring of the text-based communication upon

detecting an indication that the text-based communication is to be sent (Kugimiya Col. 5

lines 51-64 & Fig. 11);

providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation (Kugimiya Col. 4 lines 11-40);

Kugimiya teaches that initially, the originally read English sentence is stored in the buffer A as shown in FIG. 5. Under control of the translation CPU 15 based on the translation program 16, necessary grammatical data of each of the words of the sentence are obtained by the dictionary look-up and morphological analysis portion 11 in accordance with the original English sentence stored in the buffer A, by using the dictionary of memory 6, and are stored in the buffer B. For example, data on parts of speech of the words of the original English sentence are stored as shown in FIG. 6. The word "this" acts as a plurality of parts of speech, i.e. pronoun and demonstrative pronoun. The word "this" is determined as pronoun by the syntactic analysis portion 12. In the syntactic analysis portion 12, a structural analysis tree indicative of modificatory relations among the words of the original English sentence is determined in accordance with the dictionary and the grammatical rules of the memory 6 as shown in FIG. 7.

Further Kugimiya teaches a translating apparatus of the present invention includes the syntactic decision means which decides from the construction of the inputted sentence whether or not a relative clause of nonrestrictive use or a prepositional or indefinite phrase for modifying a verb accompanied by a comma located immediately before the phrase exists and the symbol generating means which generates in the translated sentence, the first and second symbols indicative of the start

position and the end position of the relative clause or the prepositional or indefinite

phrase when the relative clause or the prepositional or indefinite phrase exists.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention transmitted text to be translated in a wireless network utilizing

trigger symbols to identify the portion of text to be translated for the purposes of

triggering proper grammar, syntax, and morphology rules for a specific language

relevant to a selected portion.

Re claim 7, method of claim 1 comprising maintaining a store of portions of text

and respective replacements on said communications device; and using said store to

determine the replacement (Col. 4 lines 35-46).

Re claim 8, method of claim 7 wherein said portions of text and respective

replacements are defined by prior translations performed using the communications

device (Col. 4 lines 35-46 & Fig. 5).

6.   Claims 5, 6, 15, 16, and 20-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lin; Carol et al. US 6999916 B2 (hereinafter Lin) in view of

Kugimiya; Shuzo et al. US 5023786 A (hereinafter Kugimiya) further in view of

Abir, Eli US 20040122656 A1 (hereinafter Abir).

Re claims 5 and 15, Lin in view of Kugimiya fails to teach the method of claim 1

wherein said replacing comprises confirming the replacement (Abir [0302]).

Abir teaches a cut-off point of a chain to be translated as a translation query unit string using the dual-anchor overlap technique is user-defined (user definition of a translation query unit string in the above embodiment is a sentence). For instance, instead of a sentence, the concept can be broadened to require overlapping translations of word strings across both Source and Target Language for all contiguous word strings of a shorter unit (e.g., between punctuation marks) or a longer unit (e.g., a paragraph, including punctuation). Because both the beginning and the end of an overlapped unit will only have one side confirmed by overlap, user-defined criteria when building word string translations may be more stringent when accepting a first or last word string as a translation. Moreover, the aspect of the invention that identifies semantically equivalent word strings can be employed to confirm the translations of any word string (by providing additional checks of translations of Source and/or Target Language synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention confirming alternative replacements from a translation for the purposes of using shorter or longer strings with the same meaning to allow for sentence length definition.

Re claims 6 and 16, Lin in view of Kugimiya fails to teach the method of claim 5 wherein confirming the replacement comprises obtaining at least one alternative replacement from said translation service and wherein said replacing comprises replacing using a one of the at least one alternative replacement (Abir [0302]).

Abir teaches a cut-off point of a chain to be translated as a translation query unit string using the dual-anchor overlap technique is user-defined (user definition of a translation query unit string in the above embodiment is a sentence). For instance, instead of a sentence, the concept can be broadened to require overlapping translations of word strings across both Source and Target Language for all contiguous word strings of a shorter unit (e.g., between punctuation marks) or a longer unit (e.g., a paragraph, including punctuation). Because both the beginning and the end of an overlapped unit will only have one side confirmed by overlap, user-defined criteria when building word string translations may be more stringent when accepting a first or last word string as a translation. Moreover, the aspect of the invention that identifies semantically equivalent word strings can be employed to confirm the translations of any word string (by providing additional checks of translations of Source and/or Target Language synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention confirming alternative replacements from a translation for the purposes of using shorter or longer strings with the same meaning to allow for sentence length definition.

Re claims 20, 22, and 24, Lin in view of Kugimiya fails to teach the method of claim 1, wherein a response to a replacement translated portion of text comprises any of:

an 'accept translation' whereby said replacement translated portion of text is used to replace a corresponding original portion of the text based communication (Abir [0343]);

a 'reject translation' whereby an original portion of the text based communication corresponding to said replacement translated portion is retained instead of replacing it with said replacement translated portion of text ([0321]); or

a 'reject and ask for more' whereby a further request for translation of an original portion of text of the text based communication is formulated and sent to the translation service means to obtain one or more further replacement translated portions of text, the method further comprising providing a further prompt to receive a response to said one or more further replacement translated portions of text ([0343]).

Abir teaches the system, through the process, will ultimately not accept a return in the second (Target) language that does not have a naturally fitting connection, i.e., right and left overlaps with the contiguous language segments, with the exception of first and last segments, as described above. Had any Hebrew language return not had an exact overlap with a contiguous Hebrew word string association, it would have been rejected and replaced with the highest ranking Hebrew word string association for that English word string that overlaps with the contiguous Hebrew word strings, or alternative overlapping English word strings (shorter or longer) can be retrieved from the database with their Hebrew translations and tested for exact overlaps in Hebrew.

Abir teaches that word strings are overlapped completely on both left and right sides (except for first and last word strings which only have some additional

confirmation through one-sided overlap) the translation candidates for them will not be accepted if incorrect (or correct but for a different surrounding context). The first word string on the left should be independently confirmed by one of the association methods of the present invention (or manually) as an accurate translation (at least on the un-overlapped left side of the word string) and the last word string at the end of the sentence should be independently confirmed as an accurate translation (at least on the un-overlapped right side). In the above example, either both word strings "the best time of the" and "jump in the pool" should be confirmed independently as accurate translations or at least their left and right sides, respectively. These confirmed translations give accurate end points to anchor the chain of overlapping word string translation candidates.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention accepting or rejecting a translation and replacing the translating with alternative possibilities for the purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein a more accurate choice of replacement will be selected relative to automatic system selection with a manual user confirmation of the replacement (i.e. not necessarily the *best* grammatical choice but best according to a user's preference).

Re claims 21, 23, and 25, Lin in view of Kugimiya fails to teach the method of claim 20, wherein the further prompt enables a selection of one of said one or more further replacement translated portions of text to replace a corresponding original

portion of the text based communication or to reject all of said one or more further replacement translated portions of text whereby said corresponding original portion of text is retained ([0343]).

Abir teaches the system, through the process, will ultimately not accept a return in the second (Target) language that does not have a naturally fitting connection, i.e., right and left overlaps with the contiguous language segments, with the exception of first and last segments, as described above. Had any Hebrew language return not had an exact overlap with a contiguous Hebrew word string association, it would have been rejected and replaced with the highest ranking Hebrew word string association for that English word string that overlaps with the contiguous Hebrew word strings, or alternative overlapping English word strings (shorter or longer) can be retrieved from the database with their Hebrew translations and tested for exact overlaps in Hebrew.

Abir teaches that word strings are overlapped completely on both left and right sides (except for first and last word strings which only have some additional confirmation through one-sided overlap) the translation candidates for them will not be accepted if incorrect (or correct but for a different surrounding context). The first word string on the left should be independently confirmed by one of the association methods of the present invention (or manually) as an accurate translation (at least on the un-overlapped left side of the word string) and the last word string at the end of the sentence should be independently confirmed as an accurate translation (at least on the un-overlapped right side). In the above example, either both word strings "the best time of the" and "jump in the pool" should be confirmed independently as accurate

translations or at least their left and right sides, respectively. These confirmed

translations give accurate end points to anchor the chain of overlapping word string

translation candidates.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention accepting or rejecting a translation and replacing the translating

with alternative possibilities for the purposes of using shorter or longer strings with the

same meaning to allow for sentence length definition, wherein a more accurate choice

of replacement will be selected relative to automatic system selection with a manual

user confirmation of the replacement (i.e. not necessarily the *best* grammatical choice

but best according to a user's preference).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. US 5991713 A, US 5303150 A, US 5787386 A, US 20040181390

A1, US 20040068411 A1, US 20020002452 A1, US 7194455 B2, US 6233545 B1, US

20020194300 A1, US 7027975 B1, US 6161082 A, US 6732341 B1, US 20030145282

A1, US 5587902 A, US 6438515 B1, US 20020107885 A1.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael C. Colucci whose telephone number is (571)-

270-1847. The examiner can normally be reached on 9:30 am - 6:00 pm, Monday-

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Colucci Jr.
Patent Examiner
AU 2626
(571)-270-1847
Michael.Colucci@uspto.gov

/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626